

DIST/OFFICE	DOCKET		FILING DATE			J	N/S	O	R	R 23	S	DEMAND OTHER	JUDGE NUMBER	JURY DEM.	DOCKET	
	YR.	NUMBER	MO.	DAY	YEAR										YR.	NUMBER
1085/4	75	0365	08	12	75	4	442	1	11	P X		15,845	8510	P	75	0365-C Class Act

PLAINTIFFS

BOLING, Sherman
CARTER, Manford
MAYFIELD, Elvin
MOODY, Carl D.
OLSON, Leroy
SHAMBLES, Robert, Individually and as
 Members of a Class

DEFENDANTS

NATIONAL ZINC COMPANY, Inc., a
 corporation
STATE INSURANCE FUND,
STATE OF OKLAHOMA
STURM, Chris, Commissioner,
STURM, Chris, an individual
VAN AKEN, JOHN S., an individual
TRUMAN, JACK L., an individual
MCCLUSKEY, MELVIN, an individual

 Thomas L. VOGT, an individual
 Additional Deft.

42 U.S.C. 1981, et seq.

CAUSE

Impairing Civil Rights Guaranteed by U.S. Constitution, Federal Statutes,
 Oklahoma Constitution and Oklahoma Statutes.

ATTORNEYS

Mr. Eddie Harper
 Mr. Gene Stipe
 Mr. John Estes
 Stipe, Gossett, Stipe & Harper
 2915 Lincoln Blvd.
 P. O. Box 53567
 Oklahoma City, Oklahoma 73105

Truman, McCluskey)
 Ben L. Burdick (Nat'l. Zinc, Van Aken,) 232-0621
 17th Floor - Liberty Tower
 100 Broadway
 Oklahoma City, OK 73102
 (405-232-0661)

James Fellers (Sturm & State Ins.)
 Rand R. Guffey
 Fellers, Snider, Blankenship & Baile
 2700 First National Center
 Oklahoma City, Oklahoma 73102

Mr. Carl D. Hall, Jr. 582-8815
 Hall & Sublett
 National Bank of Tulsa Bldg.
 Tulsa, Oklahoma 74103

Melvin D. Kraft, P.C. (same d's as
 522 Fifth Avenue Burdick)
 New York, NY 10036

212-575-1017

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	9-1-75
				JS-6	1-1-77

DATE	NR.	PROCEEDINGS
8-12-75	1.	Complaint filed, Summons issued.mm
8-25-75		U.S. Marshal service returned and filed. Served Chris Sturm, Natl. Zinc. Co. thru The Corp. Co., and State Ins. Fund, 8-18-75 at Okla. City and Melvin McCluskey, Jack L. Truman and John Van Aken, 8-22-75 at Bartlesville, Okla.(USM \$34.20)jj
9-4-75	2.	Amended Complaint, filed. Summons issued. b
9-8-75	3.	Letter on behalf of Defts. requesting ext. of time to ans., fld. v
9-8-75	4.	Order, filed, that Defts. are granted 20 days additional to ans. (HDC-J) -cps mld.
9-15-75		U.S. Marshal service returned and filed. Served Thomas L. Vogt on 9-4-75. (USM \$15.00)lm
9-29-75	5.	Answer of Defendants, State Insurance Fund and Chris Sturm, filed. mm
9-29-75	6.	Answer to Amended Complaint by National Zinc Company, John s. Van Aken, Jack L. Truman, Melvin E. McCluskey, and Thomas L. Vogt., filed. mm
10-2-75	7.	✓ Motion for S/J on behalf of National Zinc Co., John S. Van Aken, Jack L. Truman, Melvin E. McCluskey, and Thomas L. Vogt, filed. lm
10-2-75	8.	✓ Brief in support of defts' motion for S/J, filed. lm
10-2-75	MO	It is ordered by the Court that plaintiffs are granted ten days from this date to file a responsive brief to defts motion for S/J (HDC-J)lm <i>the mld</i>
10-2-75	9.	Affidavit of J. L. Truman, filed. lm
10-8-75	10.	✓ Motion of Defts., State Insurance Fund and Chris Sturm, to Dismiss or in the alternative for summary judgment, filed. v
10-8-75	11.	✓ Brief in Support, filed. v
10-8-75	MO:	It is ordered by the Court that Pltfs. are granted 10 days from this date to respond to the Motion of Defts. State Insur. Fund & Chris Sturm, to Dismiss, or in the alt. for S/J. (HDC-J)v
10-14-75	12.	Pltfs' motion for ext. of time to resp. to mo/S/J, filed. hm
10-17-75	13.	Order, filed, granting pltfs. until 10-17-75 to resp. to deft's motion for S/J. (HDC-J)hm (copies mailed)
10-21	14.	✓ Response to mot. for S/J by defts. Natl. Zinc, John S. Van Aken, Jack. L. Truman and Melvin E. McCluskey, filed. g
10-21	15	Pltf's mot. for ext. of time to respond to mot. for S/J by State Insurance Fund & Chris Sturm, filed. g <i>otoj</i>
10-24	16.	Order, filed, granting pltfs. until 10-23-75 to respond to motion for S/J. (HDC-C)hm (copies mailed)
10-24	17.	✓ Pltf's motion to produce, filed. hm
10-24	18.	✓ Memorandum in support of pltf's motion to produce, filed. hm
10-31	19.	✓ Pltf's response to mot. to dismiss or in alternative for S/J by defts State Insurance Fund and Chris Sturm, filed. g
11-4-	20.	Reply Brief in Support of Deft.'s Natl. Zinc, Van Aken, Truman, McCluskey and Vogt, Mtn. for S/J, filed.jj
11-13	21	Reply brief of deft's, state insurance fund and Chris Sturm, to response of plaintiffs, with leave granted to file, filed.(HDC-J)tc <i>(Copies mailed to Heller)</i>
11-24	22	Response of Defts. Zinc, Aken, Truman, McCluskey & Vogt to pltfs' motion to produce, filed.k

CIVIL DOCKET CONTINUATION SHEET

JUDGE COOK

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-365</u>
Boling		National Zinc	PAGE <u>3</u> OF <u>2</u> PAGES
DATE	NR.	PROCEEDINGS	
1975			
11-26	23	Defts., State Insurance Fund & Chris Sturm's, response to pltf. Mot to produce, filed. to	
12-5	24.	Response to Deft's reply in support of S/J, filed, w/affidavits of all pltfs. ph	
1976			
4-13	25.	Pltfs' appl. for preliminary injunction, filed. ph <i>to 9</i>	
4-13	26.	Pltf's brief in support of appl. for preliminary injunction, filed. ph	
5-12	27.	Response of defts. National Zinc Co., John S. Van Aken, Jack L. Truman, Melvin D. McCluskey and Thomas L. Vogt, to pltfs' appl. for Preliminary Injunction, filed. ph	
5-25	MO:	Ordered by the Court that this case is set for hrg. on 6/4/76 at 10 am on pending Mo/SJ of defs. Natl. Zinc, Van Aken, Truman, McCluskey & Vogt; Mo/dismiss or altern. for S/J of def. State Ins. & Sturm; and pltf. appl. for prel. injunction. (HDC-J)rm - notices mailed	
6-2	MO:	At request of Mr. Hall, case stricken from hearing on 6-4-76 and reset on 7-2-76 at 2:00 p.m. (HDC-J)hm (parties notified by phone & written notice)	
7-2	MO:	Case called for hearing on motion for S/J of defts. & pltf's applic. for prel. inj. Melvin D. Kraft & Sam Allen admitted for purposes of this case. Statements made, on motions for S/J. Mr. Kraft for deft. to file addit. supporting affidavits & any desired briefs within 15 days; pltf. given 15 days thereafter to respond w/affid. & brief. Mr. Fellers to file brief, if desired, within 15 days. Pltf's applic. for preliminary injunction held in abeyance until ruling on other motions, & parties granted leave to hold in abeyance question of motion to produce. (HDC-J)hm	
7-13	--	Transcript of proceedings had on 7-2-76, Hearing on Motions, filed. ph	
7-14	28.	Defts' motion for ext. of time to file supplemental briefs in support of their pending motions, filed. ph <i>to 9</i>	
7-14	29.	Order, filed, granting defts. until 7-26-76 to file supp. brief in support of their motions; pltf.s are granted 15 days thereafter to file any addit. brief. (HDC-J)ph cps mld	
7-26	30.	Post-oral argument brief in support of deft National Zinc's motion for summary judgment dismissing the complaint, filed. <i>lm w/affid. of John S. Truman</i>	
7-26	31.	Suppl. brief of defts, State Insurance Fund and Chris Sturm, in support of motion to dismiss or, in the alternative, motion for S/J, filed. lm	
8-9	32.	Pltf's post-Oral argument brief in opposition to deft. National Zinc's motion for S/J, filed. ph w/affidavit of John Estes.	
10-4	33.	Notice of new address of Melvin D. Kraft, P.C., filed. ph	
12-30	34.	Order sustaining motion for summary judgment, filed and entered, & that S/J is entered in favor of defts. Natl. Zinc Co., State Ins. Fund, Chris Sturm individ. & as Commsr. of State Ins. Fund, John S. Van Aken, Jack L. Truman, Melvin E. McCluskey & Thomas L. Vogt & against the pltfs. on the complaint. (HDC-J)hm (copies mailed)	

PLAINTIFF	DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
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PAGE _____ OF _____ PAGES

NR.

PROCEEDINGS